

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARVIN L. BOOTH,

Plaintiff,

v.

JOHN C. PIOLI,

Defendant.

No. C10-5204 RBL/KLS

ORDER DENYING DEMAND FOR
DISCOVERY

Before the court is Plaintiff's "Motion for Production of Documents." ECF No. 17.

Within this document, Plaintiff demands the production of the daily log of Defendant Pioli and an incident report dated November 17, 2008. *Id.*

By Order dated November 5, 2010, all discovery in this matter was stayed pending further order of this court. ECF No. 20. Plaintiff has been directed to file an amended complaint as to his claim of racial discrimination only. *Id.* Accordingly, Plaintiff may not engage in discovery or file motions relating to discovery until the stay is lifted.

Plaintiff is also advised that discovery requests are not filed with the court. Plaintiff must first direct his discovery requests to the parties or third-parties pursuant to the rules of discovery. In the event the discovery requests are not complied with, Plaintiff must confer with opposing counsel in a good faith attempt to resolve the discovery dispute. Finally, if the attempt to confer

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1 is unsuccessful, Plaintiff may file a motion to compel, which shall include a certification that he,
2 in good faith, conferred or attempted to confer with the person or party failing to make the
3 discovery in an effort to secure the information or material without court intervention in
4 accordance with Fed. R. Civ. P. 37(a)(2)(B).

5 Accordingly, it is **ORDERED**:

- 6 (1) Plaintiff's Motion for Production of Documents (ECF No. 17) is **DENIED**.
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8 (2) The Clerk shall send a copy of this Order to Plaintiff and counsel for Defendants.
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10 DATED this 17th day of November, 2010.

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13 Karen L. Strombom
14 United States Magistrate Judge
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